

REMARKS

Claims 1- 21 and 23-37 are pending in the instant application. Claims 27 and 28 were previously withdrawn in response to a Restriction Requirement. Claims 1- 21, 23-26, and 29-37 have been rejected by the Examiner. Claims 22-26 have been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants gratefully acknowledge the Examiner's indication of allowability with respect to claims 22-26. Claim 22 was cancelled in a previous amendment and its features incorporated into independent claims 1, 9, and 29. However, the Examiner has indicated in the instant Action that independent claims 1, 9, and 29 are rejected under 35 U.S.C. §101. The Applicants have accordingly amended claims 1, 9, and 29 and submit that claims 1-21, 23-26, and 29-37 are in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested. No new matter has been entered.

Claim Rejections Under 35 USC § 101

Claims 1-21, 23-26, and 29-37 have been rejected by the Examiner under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. In particular, the Examiner states that the feature recited in independent claims 1, 9, and 29, namely, "invoking an analysis based upon said at least one dimensional attribute" does not provide a tangible result. The Applicants have amended independent claims 1, 9, and 29 to recite, *inter alia*, **creating a commodity tree that includes the commodity hierarchy data structure, assigned attributes, and selectively assigned dimensional attributes, the commodity tree** used in invoking an analysis based upon said at least one dimensional attribute." No new matter has been entered by this amendment. Support may be found throughout the Applicants' specification and drawings, e.g., on page 9, line 1 through page 11, line 5. The Applicants submit that claims 1, 9, and 29 produce a "useful, concrete and tangible result" as required under 35 U.S.C. §101. In particular, the multi-dimensional commodity model includes level 1 attributes that define the uniform characteristics of interest associated with a particular commodity for all analytics to be performed, as well as level 2 dimensional attributes that define the dimensions to analyze, along with the associated trends and patterns of interest, for any particular element in any particular commodity model. The

commodity tree established via the configured model enables these attributes and dimensions to be dynamically alterable during instantiation of the analytic process. For at least this reason, the Applicants submit that claims 1, 9, and 29 are directed to statutory subject matter in accordance with 35 U.S.C. §101. Claims 1, 9, and 29 are believed to be in condition for allowance. Claims 2-8 and 37 depend from what should be an allowable claim 1. Claims 10-21 and 23-26 depend from what should be an allowable claim 9. Claims 30-36 depend from what should be an allowable claim 29. For at least these reasons, the Applicants submit that claims 1-21, 23-26, and 29-37 are in condition for allowance and respectfully request reconsideration and withdrawal of the rejections.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1-21, 23-26, and 29-37 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-0510.

Respectfully submitted,

CANTOR COLBURN LLP

By /Marisa J. Dubuc/

Marisa J. Dubuc

Registration No. 46,673

Customer No. 48915

Date: June 11, 2007

Address: 55 Griffin Road South
Bloomfield, CT 06002

Telephone: (860) 286-2929

Fax: (860) 286-0115